

PATENT

Application Serial No.: 10/619,066
Attorney Docket No.: 03-041

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALKER et al.

Serial No.: 10/619,066

Filing Date: July 14, 2003

For: **METHOD AND SYSTEM FOR VIDEO
POKER**

) Examiner: Not Yet Assigned
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) Group Art Unit: 3713
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) Attorney Docket No: 03-041
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) **Customer No.: 22927**
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Priority mail in an envelope with sufficient postage and addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 01/14/04 By

Michael D. Brinton

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. 1.47(a)
TO REQUEST ACCEPTANCE OF NATIONAL APPLICATION
WITHOUT PARTICIPATION OF ONE OR MORE INVENTORS

Sir:

Applicants request acceptance of the present application without participation of one or more inventors, which inventor(s) have either refused to join in the application or cannot be found or reached after diligent effort.

Relevant facts and proof

Applicants filed the present patent application on July 14, 2003. No Oath or Declaration was filed with the application on July 14, 2003.

01/22/2004 DEMMANU1 00000113 500271 10619066

03 FC:1460 130.00 DA

Victor M. Garcia, an inventor on the present application, is no longer employed by Walker Digital. His last known address was: 315 Willow Street, New Haven, CT 06511.

On January 14, 2004, Victor M. Garcia placed a telephone call to Applicants. Mr. Garcia indicated to Applicants that he was unwilling to cooperate in signing any documents pertaining to Walker Digital cases on which he is a named inventor. *Please see AFFIDAVIT OF MICHAEL D. BRINTON.*

Last known address(es) of the non-signing inventor(s)

The latest address of Victor M. Garcia is:

315 Willow Street
New Haven, CT 06511

Oath or Declaration

Applicants have filed an oath or declaration signed by all the available joint inventors with the signature block of the non-signing inventor(s) left blank.

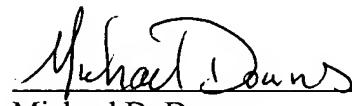
Petition Fee

Please charge \$130.00 for this petition to our Deposit Account No. 50-0271. Please charge any additional fees that may be required for this Petition, or credit any overpayment to Deposit Account No. 50-0271.

If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

If the Examiner has any questions regarding this petition or the present application, the Examiner is cordially requested to contact Michael D. Downs at telephone number (203) 461-7292 or via electronic mail at Mdowns@walkerdigital.com.

Respectfully submitted,

January 14, 2004

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AFFIDAVIT OF MICHAEL D. BRINTON

I am employed at Walker Digital Management, LLC as a patent paralegal.

On January 14, 2004, Victor M. Garcia placed a telephone call to me. In our conversation, Mr. Garcia unequivocally indicated that he is unwilling to cooperate in signing any documents pertaining to Walker Digital cases on which he is a named inventor.

Michael D. Brinton
January 14, 2004

Subscribed and Sworn to before me, a Notary Public, in and for County of Fairfield and State of Connecticut, this 14th day of

January, 2004

Leslie E. Reed
Notary Public

My Commission Expires Aug. 31, 2007